

PDPPC Meeting July 28, 2016

FINAL APPROVED Minutes

Executive Summary:

We discussed the need to find new meeting space. We may need to move around and use different locations. We reviewed the attendant registry system. We reviewed the ASMP forms and made two final changes to the forms. We got an update on Waiver changes and met a new CDASS staff member. We discussed the need to get FAS moving quickly. We heard about a satisfaction survey that will be done, and we need to encourage people to fill it out as it will help close out the audit and show if people are satisfied with CDASS.

This was a phone meeting only. Participants: Adam Tucker, Beverly Hirsekorn, Cheryl Vennerstrom, Craig Morrison, Curt Wolff, David Bolin, Debbie Miller, Erica Weidenfeld, Gerrie Frohne, Heather Jones, Jason Smith, Jennifer Martinez, Julie Reiskin, Kady Hetherington, Kate McGuire, Kathy Estes, Kelly Tobin, Kevin Smith, Kirk Miller, Leslie Taylor, Linda Andre, Linda Medina, Linda Skaflen, Lindsey Westlund, Liz Wuest, Louise Apodaca, Mallory Cyr, Margaret Proctor, Maria Rodriguez, Marsha Unruh, Matt Dotson, Rebecca Sturdevant, Renee Farmer, Rhyann Lubitz, Ryan Zeiger, Sarah Engels, Sharita Richmond, Sivani Rasanayakam, Stephanie Holsinger, Valerie Baker-E.

Kevin reminded everyone to follow the muting line rule as this was a phone meeting. He said people can go off mute when they are in the queue.

The meeting was called to order and roll call was read. Voting members were identified. Attendance was marked and provided to Linda Skaflen. Voting designations were made for organizations. Excused absences were noted.

MINUTES:

June minutes: Leslie Taylor said there was one grammatical change on page 2: May minutes 2nd paragraph minutes. It says MOTHER and should say MOTION in terms of what carried unanimously. With that change June minutes were approved unanimously. This was moved by Leslie and seconded by Kirk.

Rhyann said volunteers were needed to do minutes in August.

OPEN FORUM ONE:

Leslie:

- 1) Heard from other people and it does not impact her but we need really good clarification on FLSA for people who have attendants that bounce around on a schedule and have attendants that spend the night sometimes but not always. FLSA is unclear on a variety of scenarios and we need clarification. Example: When does time stop for attendant that might go into spare bedroom and sleep for awhile? Is that different than if they leave? If they are not a live in what types of things have to be provided. The entire act has a number of scenarios in the regulations and this seems to be causing anxiety with other CDASS clients that are in touch with her. She cannot

answer questions and it would be helpful if PDPPC could help clarify. One issue is how you adjust a years' budget on ASMP for overtime. How it is paid, what are the circumstances, etc. We understand the law but not the subcategories under it.

Cheryl from Morningstar said as far as sleep time goes there are rules that allow the deduction of sleep time under certain circumstances. Rhyann said maybe we should give time for ***CD and FMS vendors next month to answer questions and put on agenda and then determine if there are FAQs we could put out there.*** Everyone agreed this was a good idea.

- 2) We have not settled the FAS issue. We said lets institute it but nothing is happening. Rhyann said she put on agenda need for subcommittee to meet with people to figure out how to get it implemented. She does not have approval. Staff are already looking at other states to see what is available –she needs subcommittee to figure out what we want to ask leadership. She wants to do this in a thoughtful way to assure success. Need accurate info and details for success. Kevin asked if the work from the past was found and the group could see it. Rhyann could not find the document Candie mentioned. She has not been able to find anything useful. The information on what other states are doing will be shared with committee.

-Leslie –HCPF should have info from pilot. She does not understand why this is so complicated, was not complicated then and is not

complicated now. The language is the same. If you have extra money it does not go to general fund, it goes to person for items they might need. You are making mountain out of molehill. Committees is just way to delay. As far as I am concerned this looks like stalling technique.

-Maria-Ditto

-Linda A- in 2006 we had already had a group on this, you can talk with Julie Reiskin, and HCPF was in there—this is when Aggie Berens was involved. You can look it up on the internet. It is there for anyone to see if they want to.

-Rhyann said that when there was a pilot –she was familiar with pilot, then Aggie Berens did it all by hand, she would not be able to do this. There has to be a process. She wants to do this right way and we need to work on it. Need to look at why it was not continued before to make sure that CMS approves it and this is approach she is going to take and wants us to participate in subcommittee. This is not stall tactic. She needs to get permission and wants to have best approach.

-Linda said she understood and was just frustrated because they have been through this already.

-Rhyann-she understands and cannot speak to why this was not worked on prior and they will do best presentation possible but no guarantee that this is 100% a go. Information from 2006 is only somewhat helpful, she needs to know what they are approving now.

-Maria considers this a very urgent issue and thinks other employers and AR do also. She does not know why this was discontinued. There has been research/background and there should be some incentive to get this moving. This has really set a lot of people behind including myself for not having this for years and years. There needs to be something to compensate us who have lost so much for all of this time we have had to endure and for any future time that this is lagging behind and not moving. We should be entitled to some sort of compensation for what we have not gotten over the years.

Curt: I was not around when it there before, from a business point of view I am concerned that when we have extra money not spent (I think Mark Simon might say if we do not spend - use or lose it) if someone saves money might say you did not really need it and cut allocation? Has that happened in the past?

Leslie: He is right and they do come back and say you do not need it and deduct it now. When the pilot moved to law the FAS was not written into waiver, it was allowed but was left out. Maybe at that time Aggie did not want to administer it and wanted the SEPs to do it which could be done because they administer the home modification program. You are seeking perfectionism on a matter that is well settled. The law does not prohibit it. There were staff at HCPF at that time that did not want to be bothered with it. It is allowed. But there is a punitive aspect to it.

MEETING SPACE:

We need to find alternative meeting space. Rhyann said that we were not able to use the space this month, and the third floor space we have used in the past, which was not ideal but useable and in the same building, is no longer available because it is now an employee workspace. Effective immediately the new arrangement at the MS society is that we can only use "Snowmass" room- not the other two rooms on either side. This is a relatively small space. More problematic is that the MS Society can bump us when they have an event and need the room. This is what happened for the July meeting. Since we cannot rely on the MS Society or the building at 900 South Broadway we need to think about a new space:

Discussion:

Question—Will the MS Society say how much time in advance they would bump us?

Answer: Not sure

Rhyann said that John Barry was looking at alternative space but having a hard time finding alternative locations. John made a list of all of the criteria we needed for a space (bus line, accessible, good acoustics, etc.) She asked everyone to think about this and send suggestions to John Barry. (john.r.barry@state.co.us)

Kirk said that he was going to check with mayor's office to see if anything was available –Curt said Kirk should forward any information he gets to John Barry.

Curt Wolff said that he talked to John about other options, one such option is the Community First Foundation.

Positives:

- It is free
- He went there to check access—size of large meeting room holds 36-55 people, has audio, etc.
- They have availability in October and 3rd week in November
- There will be light rail 2 blocks from there in October.

Negatives:

- It is in Arvada at 58th and Ralston
- We cannot use it every month because they do not want to be regular meeting spaces.

Curt said that there is also info on the Denver Shares website—there is a place across from MS Society called JVA. It costs \$25 and he can check it out. Curt also wondered if we should try Denver tech center or other places.

Kevin: Said when asking places we need to know how long in advance would we have to confirm and how many consecutive months could we use. He said we could consider sometimes doing phone meetings, but not forgo in person meetings completely. He also said that moving around makes it a little inconvenient but can also be a good thing.

Some of these locations require a non-profit to be the “entity” requesting the space or officially hosting the meeting. Julie said that we can use CCDC

for that purpose. No one objected to that and no one objected to considering having our meetings in Arvada.

Leslie asked if Consumer Direct worked separate from HCPF and if we could meet there and if not there what about one of the SEP offices in the metro area. She also said there is nice meeting space at DORA (this is her question –not knowing where consumer direct office was—is it in separate building or at HCPF? Would that not be logical place? If not then could the SEP in Denver region provide a room? One other place at DORA they have meeting space. They are accessible. Have we explored a state agency building and conference room?)

Maria asked if there was an FMS that had meeting rooms.

Kady with CDCO stated they are located at tech center and have an accessible office but the conference room is small. In the association of buildings the conference room is \$150—but they are .5 mile from light rail.

Julie said there were some foundation options and also CMS has good meeting space

Linda said that she used to do CDASS trainings at Jeffco human services, they have a huge training room. They are now on light rail also.

Gerrie said that the problem with downtown is the expense of parking.

Rhyann said that reasonable parking was on John's list.

Any other info get to John: Also, the MS Society complained that we were making too much noise when we talk in the hallway after the meeting. We need to be careful about not being loud in the hall after we leave –if we

want to talk, wait until we get downstairs and talk in the lobby there or outside.

NEW STAFF:

Rhyann introduced ***Mallory Cyr who has replaced Bonnie*** as FMS service contract manager. Mallory introduced herself and said that she has been at HCPF almost a month. She came over from Colorado Department of Public Health and Environment (CDPHE). She moved to CO from Boston. She has extensive disability advocacy background at state, national and local level. She has worked with transition for youth, also has lived experience as PWD and also has a partner with a disability. She said she is connected to disability community and excited to have this role. She looks forward to be at the meeting in person next month.

CONSUMER DIRECT (CD) ATTENDANT REGISTRY:

Kady gave the presentation on this project. This registry was created at the request of CDASS clients in this group.

Kady asked us to reference the handout which was sent out ahead of time and is in the meeting materials. She went through each page and explained each function.

Overview: CD put together a universal attendant directory online. It was developed through a committee. There is a way for people without internet access to use it and this was explained during the presentation. Specifics of the presentation:

Page One: Explains how attendants can register

Leslie said she has objections to this because it is supposing that everyone has online capabilities, Kady reiterated that the website was designed to include people who do not have web access. There is a whole system for clients and attendants to access it without internet or computer.

Page 2 –Kady explained there are three boxes and said this is example of what people will see when they click “learn more”. The committee requested this feature and the purpose is to inform about CDASS and what is required to be a CDASS attendant.

Pages 2, 3 and 4 outlines the few requirements that apply to all attendants such as not having been convicted of a felony that is a barrier crime.

The pages conclude with CD contact information in case there are questions.

Louise suggested that on the main page increased clarity is needed about who is employer. Kady read the language they had and said the committee requested it. Julie agreed with Louise and said that we need to make it clear that client is employer.

Maria said it should say employers and authorized representative. She said we should avoid the word clients. She said we should explain the employer is the person they will be taking care of without using the word client.

Julie asked if saying the employer was the recipient of Medicaid services would work so it was clear who the employer was going to be?

Kelly Tobin said that the site does not directly say that the recipient of services is a PWD. She said it may be obvious to us and does imply so on the page, but does not say outright.

Maria gave some language suggestions including homeowner, manager, etc.

Kady said she would try to revise language based on discussion to clarify that the person receiving services is the employer.

Curt said on the Medicaid CDASS program attendants work directly for the disabled employer of record.

Maria suggested saying instead of disabled to say "elderly or disabled employers or their representatives"

Page 5:

Kady suggests waiting to discuss table ten to review all of the check boxes.

Clients do not need to register, this is for attendants to register and attendants can choose what to share and what experience they have. The original list started off at 80 questions and the committee agreed that they had to trim it down because we do not want to scare people.

Clients can search based on criteria that client chooses.

Louise said we should add service animals after question "are you OK with pets?"

There was no discussion on the check boxes.

Leslie said there is a need for spellchecker and said there were words misspelled (specific words not identified in meeting). She said there needs to be more room. She said people should remember that even if an attendant knows how to do something that they will still need to learn when dealing with a new client/employer.

Kady said this was just a screening tool to bring people together and it was still very important for clients/employer to interview and talk about how things need to be done.

Rhyann thanked the subcommittee for spending a lot of time and working hard on this. It is hard line to walk between too much and too little information. She said that a lot of thought went into this. Kevin and Rhyann both asked that people all be respectful during these discussions.

Kady then explained the part about how people without the internet can access this and went over four forms. Forms allow attendants to register and for clients/employers to request a search. CD will then send the client/employer a list based on results. CD said employers could either call them on the phone or mail in the information to use the system.

Kady said she would take comments by email or phone after the meeting.

ASMP: (Attendant Support Management Plan)

Rhyann reviewed the changes made on the forms we requested at the last meeting. This included:

- adding ASMP at top,

- adding a space to list needed communication accommodations combined spouse and family member into one question.
- page 7 she added one sentence explaining that clients have a way to check their budget online.
- increased size of font

Question/Comments

Leslie said that there needs to be place for overtime on budget part. Rhyann agreed. There was some discussion and agreement to fix this.

Renee Farmer had issue on the health maintenance list. She ran into something new with no checkboxes and said she needed to discuss accompanying. She said that health maintenance tasks are those that are skilled, and some things on task sheet seem to be under unskilled, but when she was under agencies or nursing home only C.N.A. or nurse could do them so they should be skilled (health maintenance) in CDASS. Rhyann said that she is going to fix this on the task worksheet and ASMP to make sure that the task worksheet lists all approvable skilled care tasks under health maintenance. She just could not do it for today because mail already went out.

Other form –UPDATE

This form is being used only when there are changes. Rhyann explained the form. If there is change in allocation we no longer have to do the whole long form, only change the care plan and budget.

Questions/comments:

Linda it is very hard to identify the exact minutes you need on each task as our needs change daily.

Leslie explained why norms changed to suggestions only—it is for this reason and the plan is a plan and people will not conform exactly because our needs do change.

Rhyann agreed that minutes are estimates and that no one has the same needs every day.

Action Step: Rhyann will align the task fixes and add FLSA in and we will have final look next month

CDASS WAIVER UPDATES:

Adam Tucker works at Division for Intellectual and Developmental Disabilities (DIDD). He replaced Roberta, and is working on getting CDASS into Supported Living Services (SLS) and he was traveling so Rhyann reported for him.

DIDD submitted a waiver amendment to CMS to add CDASS to SLS. They are working through process now with CMS and preparing for medical services board. The tentative start date will be 11/1/16 but she has no ability to answer questions but can take them and send to Adam.

Leslie: Is this attempt to meld CDASS into SLS into DIDD. Answer: NO this just allows more people to get CDASS who are on the SLS waiver.

Gerrie: If something is going to have final approval to begin on 11/1 it would need to go to the Medical Services Board (MSB) in October for FINAL approval. This means initial reading will be at the September MSB would be initial approval. Gerrie asked if we can get a heads up because our meeting will be on the 4th Wednesday in August which is very short time to get feedback. Gerrie asked if someone would announce to all of PDPPC so people know if it will come to MSB on the 2nd Friday of September. Gerrie said that there was a big workgroup of people that were very involved in the submission of the CDASS waiver amendment. Many people were opposed to what was and was not going to be allowed in CDASS option as it applies to DIDD and they want to prepare testimony for MSB.

Rhyann will send this information to Adam to make sure that there is adequate notice to PDPPC about when the rule is going to MSB.

Leslie said that there is a mandatory comment period by law. Gerrie explained that they already had the comment period and she was talking about comments made by many during that comment period.

Leslie said in rural areas the state should use post offices not papers for noticing comment periods.

Rhyann said that yesterday HCPF received approval for all waivers amended regarding removal of AwC and to do FEA only. The approval is effective date is 8/1/16 so we have 30 days to finish transition. There are a few that have not transitioned and they have to do this quickly.

Linda asked what would happen if someone did not transition?

Rhyann said that they would look at it on case by case basis and problem solve. She would try to resolve with each person to try to provide support so people could finish their transition so the state would not have to terminate anyone from the program as there will be no more Agency with Choice (AwC) option in CO.

Rhyann said the next change in waivers will be that some waivers will be revised again to add buy-in so people with disabilities can work and not lose their Medicaid.

SATISFACTION SURVEY TO FINISH AUDIT:

Rhyann said that a satisfaction survey will be mailed to random samples of people receiving consumer directed and agency based services to do comparison. This is to finish the audit suggestions. The majority of the survey is NCI and a code will identify if people are CDASS or agency. There will be 400 clients of each. We did not have control over the questions because they were research based so we could not change them.

Julie—very important to notify people to respond because this is where the audit response will come in and we can show that this is where CDASS is better than agencies.

Gerrie said that families have jaded view of surveys and fear surveys are not truly confidential and if they say anything that is negative they will face retaliation. She said that when the envelope has codes on it that indicates something. Rhyann said that it was coded to identify only if you have CDASS or agency. The forms are not going to HCPF. They are going to the

National Center for Participant Direction. ***Julie said that we need to assure confidentiality, also tell people if they are worried where they can go for assistance. Julie said CCDC would advocate if anyone felt retaliated against.***

Rhyann said she is putting on the form that if someone needs different survey so people can contact her if they have a concern.

Comments and questions:

- Leslie: The data is all going to national center who will collect and analyze data. The center will review and provide summaries to HCPF, then HCPF will review. She said we should note that it is not going to HCPF and people may be more likely to answer.
- Maria said these were hard to answer because of the variation of workers. She said she may be satisfied with some and not other workers. Not sure how to deal with this.
- Louise: Said on Page 2 item 6 the question “do people who are currently paid to help you change too often?” is poorly worded. Others agreed.
- Rhyann said that because these questions have been validated as a tool we could not make edits to the wording.
- Kelly Tobin said she noticed language goes back and forth between singular and plural. She said there is a word left out on number 8. She said if we cannot alter anything there is nothing we can do about it.

TIMESHEET CODES

FMS vendors have variety of codes, they are being used in different ways but not always what the word says—e.g. people use weekend rate during the weekday or training rate with experienced attendant. Rhyann worked with FMS vendors and they will revise the codes. This will be done over the next year. Each vendor will decide how many they will offer and make sure it is standard. There will be no names. It will simply be rate 1, 2, 3, etc. Descriptions of the codes such as weekend, emergency, will end.

Curt said he was curious if FMS agencies are letting people know if they can use different codes?

Rhyann said she does not see a lot of changes regarding the number of rates available. We are just changing what they are called.

Curt asked if the FMS let clients know they can have various rates after the clients do the training.

All FMS agencies said YES. Kady said they also cover this during training through CD.

OPEN FORUM 2

- FAS: If anyone wants to be on subcommittee get in touch with Rhyann
- Leslie said she objects to having a committee and talking about it and just wants FAS to be reinstated without prolonging it anymore. She said this is going on too long.
- Louise asked if the registry subcommittee meet again. Answer yes but date and time not set yet.

- Linda asked if meeting for FAS be in afternoon so she can attend?
Rhyann thinks that will work.
- Kady --Dept of Labor (DOL) released home care guide for families.
CD released when it first came out and it is also under client tools
and info on website. It is a good resource. Leslie said that part of
issue with DOL is that nothing can cover everything and some clients
are a bit paranoid but it does not cover everything but she does refer
others to this guide.
- Leslie also said to keep in mind that DOL director will change with the
new president.
- Maria said that she wants to be part of next FAS committee meeting.
- Leslie asked Julie if she remembers why FAS went away, Julie said
that it went away when we went from a pilot to a regular HCBS
program. At the time there was no way to do FAS within the federal
government structure but that changed a year later. To do it now we
have to do it a bit differently because the current way the federal
government allows it is somewhat different from the program we
had. This is why we need a committee so clients can be involved with
this.
- Maria wanted to know who was contact person for this at CMS. Julie
said she did not know and Leslie said it was Laurie Jensen. Maria
wanted the contact information and asked that Leslie send this to
one of the co-chairs or Rhyann to get the information to Maria.

The meeting adjourned at 4:00 pm

Respectfully submitted, Julie Reiskin